BOROUGH OF WATCHUNG

BOARD OF ADJUSTMENT

DANIEL CRONHEIM, CHAIRMAN

Regular Meeting August 9, 2018

OFFICIAL MINUTES ADOPTED SEPTEMBER 13, 2018

Vice Chairman Hunsinger called the Regular Meeting to order at 7:32 p.m. Board members present were Ms. Fechtner, Mr. Brown, Mr. Kita, Mr. Panzarella, and Mr. Lauerman. Also present were Steven Warner, Esq., Board Attorney, David Stires, P.E., Board Engineer, Ed Bennett, Zoning Official and Theresa Snyder, Board Clerk. There were 7 members from the public present.

Vice Chairman Hunsinger read the statement indicating the meeting was being conducted according to the Sunshine Law, the Municipal Land Use Law requirements, and the recording of the Minutes as required by law. He then led the flag salute to the American flag, and the Board members identified themselves for the record.

APPROVAL OF MINUTES

On motion by Ms. Fechtner, seconded by Mr. Panzarella, the minutes for the July 12, 2018 Regular Meeting were accepted and carried on voice votes with Mr. Brown abstaining.

On motion by Ms. Fechtner, seconded by Mr. Lauerman, the minutes for the July 12, 2018 Executive Session were accepted and carried on voice votes with Mr. Brown abstaining.

RESOLUTION

Resolution BA-R9

Case No.: BA 18-07: Branco

77 Oakridge Lane Block: 4405 Lot: 5 Approved 7/12/18

On motion by Ms. Fechtner, seconded by Mr. Lauerman, the Board adopted the Resolution based on the following roll call vote:

Roll Call:

Ayes:

Ms. Fechtner, Mr. Kita, Mr. Panzarella, Mr. Lauerman

and Vice Chairman Hunsinger

Navs:

Not Eligible:

Mr. Brown

Abstain:

Absent:

Mr. Bell, Mr. Dallas and Chairman Cronheim

APPLICATIONS

Case No. BA18-01; Wilderness Trails (RETS Partners, LLC) 833 Mountain Blvd.
Block 201 Lot 17 RR Zone

The application was carried to the September 13, 2018, Regular Meeting without further notice.

Case No.: BA 18-08; Bolkhovskiy

Address: 151 Sunlit Drive

Block: 301 Lot: 8

The application was carried to the September 13, 2018, Regular Meeting with further notice with an extension through September 30, 2018.

Case No.: BA 18-09; Edgemont Address: 25 Edgemont Road

Block: 55.01 Lot: 3

Mr. Warner, Esq. swore in the Board professionals along with Ms. Lenore Mohr of Pure Light Properties, 1 West Broad Street #1100, Bethlehem, PA 18018 and her attorney, Mr. David C. Scalera, Esq., 20 Dogwood Drive, Morristown, NJ 07960.

Mr. Scalera, Esq. asked Ms. Mohr to give a brief description of what Pure Light Properties, LLC does. Ms. Mohr explained to the Board that Pure Light looks for properties in areas with good school districts, low property taxes and places of beauty to bring suffering properties up to the standards of the neighboring communities. She believes that this was the case with 25 Edgemont. Ms. Mohr presented the Board with EXHIBIT A-1- Before and After Photos of the property. She further explained that they made a 1,300 sq. ft. house and made it a 2,800 sq. ft. house. She felt that a grand entry to the front of the house was imperative to fit in with the rest of the homes in the area. They were able to connect the home to sanitary sewer. She stated that the architect wanted a covered porch, and this covered porch does not add sq. footage to the home.

On question as to why the portico was constructed without a variance, Ms. Mohr presented EXHIBIT A-2- Original set of plans prepared by Doug Asral, AIA, 9 Whippany Road, Suite B2-4, Whippany, NJ 07981, 8 pages. She showed on the original plans, that the architect had made a mistake in his schedule by listing the same existing front yard setback and proposed, 49.8'. In the drawing he did include the correct setback.

Mr. Bennett said he initially only looked at the schedule part of the plans which had an acceptable setback; therefore, he could issue permits. It wasn't until Ms. Mohr filed for a CO that Mr. Bennett realized the discrepancy in the schedule and the plans. He did not feel that the portico was intentionally built without a variance.

Mr. Warner asked if there were any other bulk variances that were needed. Both Mr. Stires, P.E. and Mr. Bennett agreed there were none. Mr. Warner, Esq., asked Ms. Mohr if she would comply with any and all other conditions for approval, to which she agreed.

Vice Chairman Hunsinger brought up the point that by expanding the home to 2,000 sq. ft., it brings the home into conformity with the zoning requirements in that area. He then opened the meeting to the public.

Mr. Bob Hess, 16 Edgemont Road was sworn in to make comments. Mr. Hess expressed his dissatisfaction with Pure Light Properties, LLC and the way they did the work on this project. He was very concerned with the land disturbance, tree removal and runoff on the property after the work has been completed.

Mr. Bennett explained that the applicant must comply with the engineering department in regards to land disturbance, tree removal and wastewater management before a CO can be issued. He said the house itself is fine.

Mr. Hess said that he was afraid that if this application was approved, other companies will come in a do damage to other properties in the neighborhood.

Mr. Warner, Esq., explained that this case did not have any bearing on any other case that will go before the Board. It had no precedential impact on other cases, but said the Board must look at this application and ask if the benefits out weigh the detriments.

Mr. Ryan Edwards, 25 Edgemont Road was sworn in to testify. As the new owner of the property, Mr. Edwards said he had a vested interest in the portico remaining. He said it provides coverage in bad weather, and if asked to remove it, would be a disservice to the property.

With there being no other questions from the public, the public portion of the meeting was closed.

On question by the Board, Mr. Bennett explained that any stormwater management and other conditions are under the control of the engineering department.

On motion by Mr. Brown, seconded by Ms. Fechtner, the Board voted to grant the variance with conditions based on the following roll call vote:

Roll Call:

Ayes:

Ms. Fechtner, Mr. Brown, Mr. Kita,

Mr. Panzarella, Mr. Lauerman and

Vice Chairman Hunsinger

Nays:

Not Eligible:

Abstain: Absent:

Mr. Bell, Mr. Dallas and Chairman Cronheim

REQUEST

On motion by Mr. Panzarella, seconded by Mr. Brown, the Board unanimously voted to grant the Watchung Borough Recreation Department's request for temporary signs for the following:

Yankee vs. Rangers game for 1 week – August 6th thru August 10 9/11 Memorial Ceremony – August 27th – Sept. 12th Movie Night – August 27th – Sept. 24th Fishing Derby – August 27th – Sept. 24 Harvest Festival – Sept. 24th – Oct. 15th Veterans Day – Oct. 29th – Nov. 12th

ADJOURN

On motion by Mr. Brown, seconded by Ms. Fechtner, the Board unanimously voted to adjourn the meeting at 8:15 p.m.

Respectfully Submitted, *Theresa Suyder*Theresa Snyder

Board Clerk